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OFFICIAL

Patent  
Attorney's Docket No.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of }  
Ge XU et al. } Group Art Unit: 1763  
Application No.: 09/863,338 } Examiner: S. MacArthur  
Filed: May 24, 2001 } Confirmation No.: 1018  
For: CVD APPARATUS }  
} }  
})

SUBMISSION OF TERMINAL DISCLAIMER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Attached please find an executed Terminal Disclaimer in connection with the application identified above.

Charge \$110.00 to Deposit Account NO. 02-4800

The Director is authorized to charge any fees that may be required by this paper, and to credit any overpayment, to Deposit Account NO. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: February 6, 2004

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(11/03)

**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING  
REJECTION OVER A PENDING SECOND APPLICATION**Docket Number (Optional)  
001425-108

In re Patent Application of: 09/863,338

Application No.: May 24, 2001

Filed: May 24, 2001

For: CVD APPARATUS

The owner\*, Anelva Corporation, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 09/862,458,

filed on May 23, 2001

any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

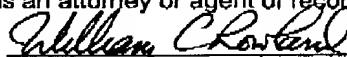
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2.  The undersigned is an attorney or agent of record.

  
Signature

February 6, 2004

Date

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